

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA
PLAINTIFF,**

VS.

**CASE NO.:
HON. DAVID LAWSON**

**NIKOLAS MARIANI,
DEFENDANT.**

**REQUESTS AND NOTICES IN COMPLIANCE WITH
STANDING ORDER FOR DISCOVERY AND INSPECTION**

In compliance with the “Standing Order” for Discovery and Inspection entered by this Court, Defendant NIKOLAS MARIANI, through his attorney, Karen J. Davis Roberts, hereby provides the Government with the following requests and notices:

1. It is hereby requested that the Government provide the following information and, where applicable, to provide copies or an opportunity to make copies of:

a. Any information and documents within the meaning of the “Standing Order,” paragraph 1(a) and/or Rule 16(a)(1) of the Federal Rules of Criminal Procedure.

b. Any exculpatory evidence within the meaning of the “Standing Order,” paragraph 1(b), and/or *Brady v. Maryland*, 373 US 83 (1963) and *United States v. Agurs*, 427 US 97 (1976), including but not limited to:

i. All consideration or promises of consideration given to or on behalf of a witness, or expected or hoped for by a witness.

ii. All threats or coercion made or directed against a witness or persons of concern to the witness, including but not limited to threats of criminal prosecution or investigations, or threats of civil or tax litigation or investigation.

iii. All records of information revealing prior felony convictions, misdemeanor convictions or juvenile adjudications of the Defendant and any witness the Government intends to call at trial.

iv. The existence and identification of each occasion known to the Government on which any witness the Government intends to call at trial may have testified falsely under oath, or submitted false affidavits in connection with proceedings of any kind, including but not limited to forfeiture proceedings, or each occasion known to the Government on which any witness the Government intends to call at trial may have made inconsistent statements in connection with this case, and a summary of such inconsistent statements.

c. Any document which will be used to refresh the memory of a witness within the meaning of the “Standing Order,” paragraph 8, and/or Rule 612 of the Federal Rules of Evidence.

d. Any statement of witnesses within the meaning of 18 USC §3500(e).

2. Notice is hereby given pursuant to the “Standing Order,” paragraph 5(b), that the foundation for any and all exhibits will be contested, and paragraph 6(b) that the chain of their custody will be contested.

3. Notice is hereby given pursuant to the “Standing Order,” paragraph 7, that any scientific analysis or summary testimony by experts will be contested unless there has been a proper basis for the witness’ testimony under Rule 1006 of the Federal Rules of Evidence.

4. All requests for information, materials, or evidence contained herein are continuing ones and the Government is expected to immediately provide any additional information, materials, or evidence as required by the “Standing Order,” paragraph 3 and/or Rule 16(c) of the Federal Rules of Criminal Procedure.

5. Defendant hereby demands a written summary of any testimony that the government intends to use under Rules 702, 703, or 705 of the Federal Rules of Evidence during its case-in-chief at trial. Included in this demand is the requirement that said summary must describe the witness’s opinions, the bases and reasons for those opinions, and the witness’s qualifications. This material is

demanding to be produced in sufficient enough time before trial to allow adequate preparation and investigation by defendant which may necessitate obtaining his own expert.

6. Defendant hereby demands Notice of the Government's Intent to admit evidence at trial under FRE 404 (b), and, or FRE 609, as well as a copy of all discovery related to said evidence, as encompassed and described in paragraph 1(a)-(d) above.

7. Notices contained herein will remain in effect unless expressly withdrawn.

s/Karen J. Davis Roberts
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CERTIFICATE OF SERVICE

Karen J. Davis Roberts certifies that a copy of this document was served upon the government attorneys and the Court on 7-9-2021 by the ECF system in EDMI.

s/ Karen J. Davis Roberts

7-9-2021